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July 23, 1984

Harold Weisberg
7627 Old Receiver Road
Frederick, Maryland 21701

Dear Harold:

I have just uncovered your letter of last year, and am most embarrassed that I have not previously responded. I remember receiving it in the wintertime, but I was doing a good deal of travelling then and I apparently stuck it in some materials to be filed which only recently saw the light of day.

I should note, despite my personal dereliction of duty, that although your letter shows the date of October 13, 1983, it was not received by our office until February 22, 1984. Is someone reading your mail? (This comment is intended in a light vein.)

Seriously, I am at a bit of a loss regarding how to answer your letter. I have not followed your litigation in the past few years, and while I was flattered to hear from you, it was quite difficult to figure out the present posture of your claims and situation. I am still quite interested and involved in work relating to the Freedom of Information Act, and have been involved in counselling and litigation relating to that subject. In fact, my client, Stephen Schlesinger, lost a case earlier this year against the CIA where it was permitted to withhold approximately 180,000 pages of 25-year old files. So I am aware of the continuing FOIA injustices on a first-hand basis.

I read the copy of the letter you sent to Senator Mathias, and was extremely curious about what kind of discovery the Department of Justice was attempting on you in a FOIA case. At least that's what I inferred from your letter. What was the final outcome of that case, and can you give me a reference to the Civil Action Number?

Finally, in answer to your last question about whether I can suggest some approach to finding assistance for you, I will need to give this additional thought and discuss it with some of my colleagues. Unfortunately, I have undertaken a number of pro bono projects in the past year and cannot afford to do any further litigation on contingency. It is not exactly clear what you need counsel for, so if you will let me know your precise needs I may be able to help find someone to fill them.

I appreciate your remembering me and I frequently think about those days a decade ago when the advocates of open government were on the offensive. I hope your health is well.

Sincerely,

Thomas M. Susman

TMS/crd